

WILLIAM F KAETZ
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Plaintiff

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U.S. DISTRICT COURT
DISTRICT OF NEW JERSEY
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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

WILLIAM F KAETZ
Plaintiff

Case No.: _____

vs.

CIVIL COMPLAINT - JURY TRIAL DEMANDED

The United States
The United States of America
Hillary Clinton
Barack Hussein Obama
Defendants

42 U.S.C. § 1983 COMPLAINT

PLEASE TAKE NOTICE that on March 7, 2019, plaintiff William Kaetz, pro se, files this 42 U.S.C. § 1983 civil complaint in the United States District Court District of New Jersey against defendants; The United States, This includes all members of the Executive, legislative and Judicial branches of the U.S. government created by the U.S. Constitution in their official and personal capacity, The United States of America, this includes the 50 states of the United States of America that includes all members of the Executive, legislative and Judicial branches of the 50 states of the United States of America in their official and personal capacity, Hillary Clinton, and Barack Hussein Obama; This complaint is to redress the following:

CAUSES OF ACTION

1. Violations of oath of office.
 2. Violation of plaintiff's state and federal due process rights.
 3. Nationality discrimination against plaintiff, a citizen of the United States of America.
-

STATEMENT OF CLAIMS

plaintiff William Kaetz, pro se, files this 42 U.S.C. § 1983 civil complaint in the United States District Court District of New Jersey against defendants for the following reasons:

1. A declaratory decree was violated and declaratory relief was unavailable.
2. The defendants' actions constitute unlawful practices and violations of plaintiff's U.S. and States Constitutional rights because each individual defendant has, and, continues to, violate their oath of office that creates violations of plaintiff's state and federal due process rights, and, by usurping the laws of these lands, the U.S. and States Constitutions, each individual discriminates against plaintiff's nationality; a citizen of the United States of America.
3. The defendants' actions constitute acts of fraud and treason by willfully violating each individual defendant's oath of office

by allowing known enemies of plaintiff's nation in plaintiff's nation's official offices that require the oath of office declaratory decree with the knowledge that these known enemies cannot and will not adhere to the oath of office. The defendants' acts of fraud and treason infringes plaintiff's state and federal constitutional rights and discriminates against plaintiff's nationality, a citizen of the United States of America.

4. It is well known fact all Socialists and Muslims will not assimilate to our constitutional republic form of government and all defendants have allowed demonstrations of advocacy to overthrow our constitutional form of government without prosecution therefore Socialists and Muslims and their supporters cannot be in any government job because they cannot and will not adhere to the oath of office and will always attempt to overthrow our constitutional form of government because of their beliefs and religion, it's just facts and a matter of law. These willful acts of oath of office violations, fraud and treason infringes plaintiff's state and federal constitutional rights and discriminates against plaintiff's nationality, a citizen of the United States of America.

FACTS

1. The Founding Fathers went to great lengths to ensure that we were a republic and not a democracy. In fact, the word democracy does not appear in the Declaration of Independence, the Constitution, or any other of our founding documents.
2. A few quotations expressed by the Founders about democracy:
 - a. In Federalist Paper No. 10, James Madison wanted to prevent rule by majority faction, saying, "Measures are too often decided, not according to the rules of justice and the rights of the minor party, but by the superior force of an interested and overbearing majority."
 - b. John Adams warned in a letter, "Remember democracy never lasts long. It soon wastes, exhausts, and murders itself. There never was a democracy yet, that did not commit suicide."
 - c. Edmund Randolph said, "That in tracing these evils to their origin, every man had found it in the turbulence and follies of democracy."
 - d. Then-Chief Justice John Marshall observed, "Between a balanced republic and a democracy, the difference is like that between order and chaos."
3. The Founders expressed contempt for the tyranny of majority rule, and throughout our Constitution, they placed impediments to that tyranny.

4. Two houses of Congress pose one obstacle to majority rule. That is, 51 senators can block the wishes of 435 representatives and 49 senators. The president can veto the wishes of 535 members of Congress. It takes two-thirds of both houses of Congress to override a presidential veto. To change the Constitution requires not a majority but a two-thirds vote of both houses, and if an amendment is approved, it requires ratification by three-fourths of state legislatures.

5. The recent years have proven our elected representatives have little to no interest in presenting or passing legislation that passes constitutional muster. A myriad of laws such as Patriot Act, GM takeover, NDAA, Bank bailouts, operating government without formal budget, mandated Healthcare, mandated Education, mandated Vaccines, Infanticide, and legislative assaults on the Second Amendment. All of this becomes taxation without representation because defendants are not representing the laws of these lands, the U.S. and States Constitutions. All of this points to an out of control tyrannical government our founders never intended but clearly warned us about.

6. The oath of office is now treated as just words to be said but no one holds those taking the oath responsible. Violating the oath is codified as a violation of federal law and executive order and all 50 states have similar laws for violating oath of office. The oath taken by defendants is similar to all and reads,

I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter: So help me God.

7. It is apparent that the section of the oath that seems almost daily violated by defendants is "I will bear true faith and allegiance to the same; that I take this obligation freely, without reservation or purpose of evasion;"

8. The defendants have been knowingly presenting legislation contrary to the constitution and then relying on legal challenges to make it to supreme court for final disposition, that is still a violation of the oath taken no matter the law eristic maneuver of passing legislation as constitutional and waiting for a challenge.

9. If these were your children you would immediately scold for exceeding limits by their hope of getting away with trouble but suffering consequences for only the most egregious just by sheer quantity, its evasive both by the defendants and by children, both should be accountable.

10. Below is the most detailed listing of codes covering the subject of congressional oath and penalties for violation, Federal law regulating oath of office by government officials is divided into four parts along with an executive order which further defines the law for purposes of enforcement. The states have similar laws.

11. 5 U.S.C. 3331, provides the text of the actual oath of office members of Congress are required to take before assuming office.

12. 5 U.S.C. 3333 requires members of Congress sign an affidavit that they have taken the oath of office required by 5 U.S.C. 3331 and have not or will not violate that oath of office during their tenure of office as defined by the third part of the law.

13. 5 U.S.C. 7311 which explicitly makes it a federal criminal offense (and a violation of oath of office) for anyone employed in the United States Government (including members of Congress) to "advocate the overthrow of our constitutional form of government".

14. The fourth federal law, 18 U.S.C. 1918 provides penalties for violation of oath office described in 5 U.S.C. 7311 which include: (1) removal from office and; (2) confinement or a fine.

15. The definition of "advocate" is further specified in Executive Order 10450 which for the purposes of enforcement supplements 5 U.S.C. 7311. One provision of Executive Order 10450 specifies it is a violation of 5 U.S.C. 7311 for any person taking the oath of office to advocate "the alteration ... of the form of the government of the United States by unconstitutional means."

16. Our form of government is defined by the Constitution of the United States. It can only be "altered" by constitutional amendment. Thus, according to Executive Order 10450 (and therefore 5 U.S. 7311) any act taken by government officials who have taken the oath of office prescribed by 5 U.S.C. 3331 which alters the form of government other than by amendment, is a criminal violation of the 5 U.S.C. 7311.

17. This should be a non-partisan subject simply due to the fact this has been going on for long decades and both parties are guilty according to the law.

18. Anyone that is paying attention has watched a slow and steady deterioration of personal freedoms, and it's about to reach a tipping point where those hard fought rights become meaningless.

19. In other words, it doesn't take a genius to see we're traveling at breakneck speed down a road towards tyranny. The scales could be tipped back somewhat if the public had awareness that the oath has teeth and voiced expectation that it be taken seriously. But on the other hand, the alternative might eventually become necessary in the words of Thomas Jefferson, "The tree of liberty must be refreshed from time to time with the blood of patriots and tyrants." We do not have to go that far, this complaint is to bring teeth to the oath of office and our constitutional form of government and to stop the abuse of power.

20. The founders of the United States of America never intended for Americans to trust their government. Our entire Constitution was predicated on the notion that government was a necessary evil, to be restrained and minimized as much as possible, and that's why there is an oath of office and the second amendment with the words "shall not be infringed", and all other checks and balances in our American system.

COUNT 1 - VIOLATION OF OATH OF OFFICE

1. Legislators, public employees, and other public servants may face severe consequences for violating the public trust. The range of penalties includes censure, removal from office, permanent disqualification from holding any state position, restitution, decades in prison, and fines up into the hundreds of thousands of dollars. (Please see attachment with state laws titled Penalties for Violations of State Ethics and Public Corruption Laws)

2. The Constitution requires that all members of Congress must take an oath of office to support the Constitution before assuming office. In order to comply with the Constitution, Congress has enacted federal laws to execute and enforce this constitutional requirement. This requirement is in every branch of government.

3. Federal law regulating oath of office by government officials is divided into four parts along with an executive order which further defines the law for purposes of enforcement.

4. 5 U.S.C. 3331, provides the text of the actual oath of office members of Congress are required to take before assuming office.

5. 5 U.S.C. 3333 requires members of Congress sign an affidavit that they have taken the oath of office required by 5 U.S.C. 3331 and have not or will not violate that oath of office during their tenure of office as defined by the third part of the law.

6. 5 U.S.C. 7311 which explicitly makes it a federal criminal offense (and a violation of oath of office) for anyone employed in the United States Government (including members of Congress) to "advocate the overthrow of our constitutional form of government".

7. The fourth federal law, 18 U.S.C. 1918 provides penalties for violation of oath office described in 5 U.S.C. 7311 which include: (1) removal from office and; (2) confinement or a fine.

8. The definition of "advocate" is further specified in Executive Order 10450 which for the purposes of enforcement supplements 5 U.S.C. 7311. One provision of Executive Order 10450 specifies it is a violation of 5 U.S.C. 7311 for any person taking the oath of office to advocate "the alteration ... of the form of the government of the United States by unconstitutional means."

9. Our form of government is defined by the Constitution of the United States. It can only be "altered" by constitutional amendment. Thus, according to Executive Order 10450 (and therefore 5 U.S. 7311) any act taken by government officials who have taken the oath of office prescribed by 5 U.S.C. 3331 which alters the

form of government other than by amendment, is a criminal violation of the 5 U.S.C. 7311.

10. Congress has never altered the Article V Convention clause by constitutional amendment. Hence, the original language written in the law by the Framers and its original intent remains undisturbed and intact. That law specifies a convention call is peremptory on Congress when the states have applied for a convention call and uses the word "shall" to state this. Such alteration to the constitution without an Article V Convention and a constitutional amendment is a criminal violation of 5 U.S.C. 7311 and 18 U.S.C. 1918.

11. In addition, the members of Congress committed a second criminal violation of their oaths of office regarding an Article V Convention call. 5 U.S.C. 7311 clearly specifies it is a criminal violation for any member of Congress to advocate the overthrow of our constitutional form of government. The definition of the word "advocate" is to: "defend by argument before a tribunal or the public: support or recommend publicly."

12. This lawsuit was brought because the defendants has refused to obey the law of the Constitution. Such refusal obviously establishes the objective of the defendants to overthrow our form of government by establishing they (the defendants) can disobey the law of the Constitution and thus overthrow our constitutional form of government.

13. The word "peremptory" precludes any objection whatsoever by the defendants to refuse to obey their oath of office. This peremptory preclusion certainly includes joining a lawsuit to oppose obeying the law of the Constitution. That act not only violates the law of the Constitution but 5 U.S.C. 7311 as well.

14. If and When the defendants join to oppose this lawsuit their opposition will become part of the court record and therefore a matter of public record. Thus, regardless of whatever arguments for such opposition will be presented by their legal counsel to justify their opposition, the criminal violation of the oath of office occurred because the defendants joined the lawsuit to publicly declare their opposition to obeying the law of the Constitution.

WHEREFORE, Plaintiff William F. Kaetz demands judgment declaring:

1. All government officials advocating unconstitutional agendas be prohibited to have any authority whatsoever because they violate their oath of office.

2. Prohibit all government officials illegally advocating unconstitutional agendas from advocating unconstitutional propaganda through all news broadcasting stations and all social media. First amendment rights restricted by the oath of office.

3. All government officials advocating unconstitutional agendas be replaced with advocates of our laws of this land, the U.S. and States Constitutions as their oath of office dictates.

4. All government officials advocating unconstitutional agendas be barred from ever holding office anywhere in the USA and be charged with violating their oath of office.

5. Seize all the wealth of all government officials advocating unconstitutional agendas whom gained wealth by their illegal deeds violating their oath of office.

6. All government officials advocating unconstitutional agendas be silenced from advocating unconstitutional agendas while holding office without official power until they are replaced.

7. All government officials found violating their oath of office be prosecuted to the full extent of the law.

COUNT 2

VIOLATION OF STATE AND FEDERAL DUE PROCESS

1. The Plaintiff repeats all the above allegations contained above as if the same were here set forth at length.

2. The plaintiff was led to believe the defendants will follow the rule of law by their oath of office.

3. The defendants committed fraud and treason and failed to follow the rule of law and violated the U.S. Constitution and State Constitutions.

4. The defendant's actions violate plaintiff's due process rights.

WHEREFORE, Plaintiff William F. Kaetz demands judgment declaring:

1. All government officials advocating unconstitutional agendas be prohibited to have any authority whatsoever because they violate their oath of office.
2. Prohibit all government officials illegally advocating unconstitutional agendas from advocating unconstitutional propaganda through all news broadcasting stations and all social media. First amendment rights restricted by the oath of office.
3. All government officials advocating unconstitutional agendas be replaced with advocates of our laws of this land, the U.S. and States Constitutions as their oath of office dictates.
4. All government officials advocating unconstitutional agendas be barred from ever holding office anywhere in the USA and be charged with violating their oath of office.
5. Seize all the wealth of all government officials advocating unconstitutional agendas whom gained wealth by their illegal deeds violating their oath of office.
6. All government officials advocating unconstitutional agendas be silenced from advocating unconstitutional agendas while holding office without official power until they are replaced.
7. All government officials found violating their oath of office be prosecuted to the full extent of the law.

COUNT 3

**CIVIL RIGHTS VIOLATION - NATIONALITY DISCRIMINATION AGAINST
PLAINTIFF, A CITIZEN OF THE UNITED STATES OF AMERICA.**

1. The Plaintiff repeats all the above allegations contained above as if the same were here set forth at length.
2. The plaintiff was led to believe the defendants will follow the rule of law by their oath of office.
3. The defendants committed fraud and treason and failed to follow the rule of law and violated the U.S. Constitution and State Constitutions and are advocating unconstitutional agendas.
4. the defendant's actions are acts of nationality discrimination against plaintiff, a citizen of the United States of America and violate plaintiff's civil rights.

WHEREFORE, Plaintiff William F. Kaetz demands judgment declaring:

1. All government officials advocating unconstitutional agendas be prohibited to have any authority whatsoever because they violate their oath of office.
2. Prohibit all government officials illegally advocating unconstitutional agendas from advocating unconstitutional propaganda through all news broadcasting stations and all social media. First amendment rights restricted by the oath of office.

3. All government officials advocating unconstitutional agendas be replaced with advocates of our laws of this land, the U.S. and States Constitutions as their oath of office dictates.

4. All government officials advocating unconstitutional agendas be barred from ever holding office anywhere in the USA and be charged with violating their oath of office.

5. Seize all the wealth of all government officials advocating unconstitutional agendas whom gained wealth by their illegal deeds violating their oath of office.

6. All government officials advocating unconstitutional agendas be silenced from advocating unconstitutional agendas while holding office without official power until they are replaced.

7. All government officials found violating their oath of office be prosecuted to the full extent of the law.

RELIEF REQUESTED


1. All seized wealth to go in a benefit fund created and controlled by the plaintiff for citizens of the United States of America for the harm done by the unconstitutional acts of defendants.

2. All unconstitutional laws created by oath of office violators be removed.

3. The amount Plaintiff is seeking is \$20,000,000.00 damages for the harm done to him by the unconstitutional acts of defendants.

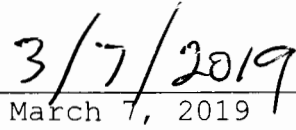
CERIFICATION

I certify that the foregoing statements made by me are true.
I am aware that if any of the foregoing statements made by me are
willfully false, I am subject to punishment.



WILLIAM F KAETZ

437 Abbott Road
Paramus NJ 07652
201 753 1063
Plaintiff



March 7, 2019